

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SERVER TECHNOLOGY, INC.,)	CASE NO. 3:06-CV-698-LRH-VPC
)	
Plaintiff and Counterdefendant,)	MINUTES OF COURT
)	
vs.)	DATE: THURSDAY, MAY 29, 2014
)	
AMERICAN POWER CONVERSION)	
CORPORATION,)	
)	
Defendant and Counterclaimant.)	
)	

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete Reporter: Donna Davidson

Counsel for Plaintiff: James E. Hartley, Donald A. Degan, Tim Getzoff, and Conor Farley

Also present: Brandon Ewing, CEO of STI

Counsel for Defendant: Terrance Truax, Reginald Hill, Michael Babbitt, Peter H. Hanna, Chad J. Ray, and William E. Peterson.

Also present: Patrick Johnson, Senior Executive of APC

MINUTES OF JURY TRIAL: (Day 13)

8:30 a.m. Jury deliberations continue.

9:25 a.m. Court convenes outside the presence of the jury. The plaintiff, defendant, and counsel are present. The Court reads a note to counsel from jury. The Court proposes to call the jury in and have the court reporter read back the portion of the rough draft transcript requested. Counsel submit their respective arguments.

IT IS ORDERED, the Court will have the jury brought to the courtroom and the court reporter will read back the portion of the rough draft transcript in response to their question.

9:35 a.m. The jury enters the courtroom. The court reporter reads back to the jury from the rough draft transcript the portion requested in response to their question.

IT IS ORDERED, juror Question No. 5 and the rough draft transcript response as read is marked as Court's exhibit C, next in order and made a part of the record.

9:34 a.m. The jury returns to the jury room to continue deliberations.

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10:43 a.m. The jury submits a note to the Court.

11:09 a.m. Court convenes outside the presence of the jury. The plaintiff, defendant, and counsel are present. The Court reads the juror Question No. 6 and the Court's proposed response to counsel. Counsel present their respective arguments for the record.

IT IS ORDERED the jury will return to the courtroom and the Court will provide the answer to Question No. 6 in open court.

11:22 a.m. The jury enters the courtroom. The Court reads Question No. 6 and response on the record. A copy is provided to the jury for reference.

11:25 a.m. The jury returns to the jury room to continue deliberations.

The Court addresses counsel and makes additional comments on the record.

11:28 a.m. The Court continues with the Bench Trial portion of the case.

3:35 p.m. Bailiff Bruce Wick is sworn to take charge of the jury.

4:30 p.m. The Court has received a note that the jury has reached a unanimous verdict.

4:32 p.m. The jury enters the courtroom. The plaintiff, defendant, and counsel are present. The verdict is read in open Court. The jury finds in favor of the Plaintiff/Counterdefendant and against Defendant/Counterclaimant. STI waives polling of the jury. APC requests polling of the jury pursuant to Rule 39C. The jury is polled. The Court finds the verdict is unanimous.

The Court thanks the jury and makes closing remarks. The jury is excused from further jury service.

4:53 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/ Dionna Negrete
Deputy Clerk